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UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER OF PATENTS AND TRADEMARKS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

NOTICE OF ALLOWANCE AND FEE(S) DUE

25271

7590

05/20/2003

GALLAGHER & LATHROP, A PROFESSIONAL CORPORATION 601 CALIFORNIA ST SUITE 1111 SAN FRANCISCO, CA 94108

EXAMINER					
ORGAD, EDAN					
ART UNIT	CLASS-SUBCLASS				
2694	455 002040				

DATE MAILED: 05/20/2003

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/963,348	09/25/2001	Corbett Wall	BZB001	8266

TITLE OF INVENTION: METHOD AND APPARATUS FOR CREATING AND DISTRIBUTING REAL-TIME INTERACTIVE MEDIA CONTENT THROUGH WIRELESS COMMUNICATION NETWORKS AND THE INTERNET

APPLN, TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$650	\$300	\$950	08/20/2003

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. <u>PROSECUTION ON THE MERITS IS CLOSED.</u> THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status is changed, pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above and notify the United States Patent and Trademark Office of the change in status, or

If the SMALL ENTITY is shown as NO:

- A. Pay TOTAL FEE(S) DUE shown above, or
- B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check the box below and enclose the PUBLICATION FEE and 1/2 the ISSUE FEE shown above.
- □ Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.





PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE

Commissioner for Patents Alexandria, Virginia 22313-1450 (703)746-4000

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee set indication. maintenance fee notifications.

<u>Fax</u>

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up

7590

05/20/2003

GALLAGHER & LATHROP, A PROFESSIONAL CORPORATION 601 CALIFORNIA ST **SUITE 1111** SAN FRANCISCO, CA 94108

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Box Issue Fee address above, or being facsimile transmitted to the USPTO, on the date indicated below.

(Depositor's name)	
(Signature)	
(Date)	

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nonprovisional	YES	\$650	\$300	\$950	08/20/2003
EXAMINER		ART UNIT	CLASS-SUBCLASS		
ORGAD, EDAN		2684	455-003040		
1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).			2. For printing on the patent from the names of up to 3 registered	patent attorneys	
☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.			or agents OR, alternatively, (2) single firm (having as a memlattorney or agent) and the nar	ber a registered	
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.			registered patent attorneys or agis listed, no name will be printed.		

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories	(will not be printed on the patent)	individual	corporation or other private group entit	y 🛭 government		
4a. The following fee(s) are enclosed:	4b. Payment of Fee(s):					
☐ Issue Fee	A check in the amount	☐ A check in the amount of the fee(s) is enclosed.				
☐ Publication Fee	Payment by credit card	l. Form PTO-2038	3 is attached.			
☐ Advance Order - # of Copies	☐ The Commissioner is be Deposit Account Number	nereby authorized	by charge the required fee(s), or credit any(enclose an extra copy of this form).	overpayment, to		
Commissioner for Patents is requested to apply the Issue Fe	e and Publication Fee (if any) or to re-	apply any previo	ously paid issue fee to the application identi	fied above.		
(Authorized Signature) NOTE; The Issue Fee and Publication Fee (if required)	(Date)					
other than the applicant; a registered attorney or agent; interest as shown by the records of the United States Paten	or the assignee or other party in t and Trademark Office.					
This collection of information is required by 37 CFR 1 obtain or retain a benefit by the public which is to file application. Confidentiality is governed by 35 U.S.C. 122 estimated to take 12 minutes to complete, including gather completed application form to the USPTO. Time will vecase. Any comments on the amount of time you request suggestions for reducing this burden, should be sent to the patent and Trademark Office, U.S. Department of 22313-1450. DO NOT SEND FEES OR COMPLETE SEND TO: Commissioner for Patents, Alexandria, Virgini	(and by the USPTO to process) an and 37 CFR 1.14. This collection is ering, preparing, and submitting the ary depending upon the individual aire to complete this form and/or he Chief Information Officer, U.S. Commerce, Alexandria, Virginia D FORMS TO THIS ADDRESS.					
Under the Paperwork Reduction Act of 1995, no pers collection of information unless it displays a valid OMB of	ons are required to respond to a ontrol number.					



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25271	7590	05/20/2003			EXAMIN	ER .	
GALLAGHER & LATHROP, A PROFESSIONAL CORPORATION				ORGAD, I	ORGAD, EDAN		
601 CALIFOR					ART UNIT	PAPER NUMBER	
SUITE 1111 SAN FRANCISCO, CA 94108			2684	10			
SAN FRANCI	SCO, CA	94100			DATE MAILED: 05/20/2003	l	

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The patent term adjustment to date is 12 days. If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the term adjustment will be 12 days.

If a continued prosecution application (CPA) was filed in the above-identified application, the filing date that determines patent term adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) system. (http://pair.uspto.gov)

Any questions regarding the patent term extension or adjustment determination should be directed to the Office of Patent Legal Administration at (703)305-1383.



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601 CALIFORNIA	•		ART UNIT	PAPER NUMBER	
SUITE 1111			2684	10	
SAN FRANCISCO UNITED STATES	•	DA	TE MAILED: 05/20/2003	V	

Notice of Fee Increase on January 1, 2003

If a reply to a "Notice of Allowance and Fee(s) Due" is filed in the Office on or after January 1, 2003, then the amount due will be higher than that set forth in the "Notice of Allowance and Fee(s) Due" since there will be an increase in fees effective on January 1, 2003. See Revision of Patent and Trademark Fees for Fiscal Year 2003; Final Rule, 67 Fed. Reg. 70847, 70849 (November 27, 2002).

The current fee schedule is accessible from: http://www.uspto.gov/main/howtofees.htm.

If the issue fee paid is the amount shown on the "Notice of Allowance and Fee(s) Due," but not the correct amount in view of the fee increase, a "Notice to Pay Balance of Issue Fee" will be mailed to applicant. In order to avoid processing delays associated with mailing of a "Notice to Pay Balance of Issue Fee," if the response to the Notice of Allowance and Fee(s) due form is to be filed on or after January 1, 2003 (or mailed with a certificate of mailing on or after January 1, 2003), the issue fee paid should be the fee that is required at the time the fee is paid. If the issue fee was previously paid, and the response to the "Notice of Allowance and Fee(s) Due" includes a request to apply a previously-paid issue fee to the issue fee now due, then the difference between the issue fee amount at the time the response is filed and the previously paid issue fee should be paid. See Manual of Patent Examining Procedure, Section 1308.01 (Eighth Edition, August 2001).

Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.

<	Application I	No.	Applicant(s)						
" Notice of Allewshility	09/963,348		WALL, CORBETT $^{ u}$,					
Notice of Allowability	Examiner		Art Unit						
	Edan Orgad		2684						
The MAILING DATE of this communication appears on the cover sheet with the correspondence address All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.									
1. This communication is responsive to application filed 9/25/	/01								
2. ☑ The allowed claim(s) is/are <u>1-34</u> .	<u></u> .								
3. The drawings filed on are accepted by the Examine	r.			•					
4. Acknowledgment is made of a claim for foreign priority und		119(a)-(d) or (f).							
a) ⊠ All b) ☐ Some* c) ☐ None of the:		(_) (_) 0. (.).							
1. Certified copies of the priority documents have	been received								
2. Certified copies of the priority documents have	been received	in Application No.							
3. Copies of the certified copies of the priority doc				tion from the					
International Bureau (PCT Rule 17.2(a)).			ianorial stage applical						
* Certified copies not received:									
5. Acknowledgment is made of a claim for domestic priority ur	nder 35 U.S.C.	§ 119(e) (to a provision	onal application)						
(a) The translation of the foreign language provisional a		- ' ' ' '							
6. Acknowledgment is made of a claim for domestic priority ur									
Applicant has THREE MONTHS FROM THE "MAILING DATE" of below. Failure to timely comply will result in ABANDONMENT of t	this communic this application.	ation to file a reply co THIS THREE-MON	mplying with the requ ITH PERIOD IS NOT	irements noted EXTENDABLE					
7. A SUBSTITUTE OATH OR DECLARATION must be subm INFORMAL PATENT APPLICATION (PTO-152) which gives reason	nitted. Note the on(s) why the c	attached EXAMINER' path or declaration is o	S AMENDMENT or N deficient.	IOTICE OF					
8. CORRECTED DRAWINGS must be submitted.									
(a) ☐ including changes required by the Notice of Draftspers	son's Patent Dr	awing Review (PTO-	948) attached						
1) hereto or 2) to Paper No	zon o r atom Dr	aming review (110	o to j attached						
(b) ☐ including changes required by the proposed drawing of	correction filed	which has be	en approved by the E	ivaminor					
(c) ☐ including changes required by the attached Examiner's									
(a) El moradang anangaa raquinau by the attached Examiner	o / whendment /	Comment of in the C	ince action of Faper i	NO					
ldentifying indicia such as the application number (see 37 CFR 1. of each sheet. The drawings should be filed as a separate paper	.84(c)) should be with a transmitt	written on the drawing al letter addressed to t	gs in the top margin (n he Official Draftsperso	ot the back) n.					
9. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.									
Attachment(s)									
1⊠ Notice of References Cited (PTO-892)		2□ Notice of Informa							
3☐ Notice of Draftperson's Patent Drawing Review (PTO-948) 4☐ Interview Summary (PTO-413), Paper No									
5 Information Disclosure Statements (PTO-1449), Paper No 6 Examiner's Amendment/Comment									
'☐ Examiner's Comment Regarding Requirement for Deposit 8☐ Examiner's Statement of Reasons for Allowance of Biological Material 9☐ Statement of Reasons for Allowance									
IDS 1449, PARON #49 WAS A 1 1									
On form PTO-892 because form 1449 is missing									
112 DUNNE TOTAL 1977 13 MISSING									

Application/Control Number: 09/963,348

Art Unit: 2684

DETAILED ACTION

Information Disclosure Statement

The IDS received on 3/3/03 was without form PTO-1449, references were considered and consideration is noted on form PTO-892 attached herewith.

Allowable Subject Matter

Claims 1-34 are allowed.

The following is an examiner's statement of reasons for allowance:

Regarding claims 1, 10, 19 and 26, the prior art of record teaches a handheld apparatus having one or more output devices including a rasterized visual display that present output to an operator, one or more input devices including an array of switches that receive input from the operator, a wireless transmitter, and processing circuitry that controls operation of the one or more output devices, the one or more input devices and the wireless transmitter. However, the prior art of record fails to specifically disclose presenting information through the rasterized visual display to the operator that assists the operator in controlling the operation of the handheld apparatus; providing through the one or more output devices to the operator a presentation of a representation of first content; receiving through the one or more input devices from the operator a second content that overlaps in time the presentation of first content according to a temporal relationship controlled by the operator and an identification of one or more recipients; and sending through the wireless transmitter a representation of the second content and identification of one or more recipients to a remote server that is separated in

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Art Unit: 2684

space from the handheld apparatus, and causing the remote server to send to the one or more recipients a message representing the first content and the second content arranged according to the temporal relationship.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Lee et al (US 6,331,669) teaches a broadband communication karaoke.

Ikami et al (US 5,613,192) teaches a one-way data transmission device with two-way data transmission function.

Nishimura et al (US 5,588,842) teaches a karaoke control system for a plurality of karaoke devices.

Bradley et al (US 2002/0188447) teaches a generation of grammars from dynamic data structures.

Ausems et al (US 2003/0013483) teaches a user interface for handheld communication device.

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Art Unit: 2684

Song-Yi Yi; Heonshik Shin "Design of a real-time trader for mobile objects in open

Page 4

distributed environments" Real-Time Systems, 1996., Proceedings of the Eighth Euromicro

Workshop on , June 1996, Page(s): 212 -217.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Edan Orgad whose telephone number is 703-305-4223. The

examiner can normally be reached on 8:00AM to 5:30PM with every other Friday off...

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Nay Maung can be reached on 703-308-7745. The fax phone numbers for the

organization where this application or proceeding is assigned are 703-872-9314 for regular

communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is 703-305-3900.

Edan Orgad

May 13, 200

NAY MAUNG PRIMARY EYAMING

NAY MALING